

b.) Remarks

Withdrawn claims 7-20 are cancelled without prejudice simply in order to reduce the issues.

Claims 1-6 and 21 are rejected under 35 U.S.C. §103(a) as being obvious over Mimura (U.S. Patent No. 6,318,866), of record, in view of Malek (U.S. Patent No. 4,712,867), newly cited.

In support of the rejection, the Examiner states Mimura teaches all of the features of the claimed invention excepting that

Mimura does not additionally disclose that at least one of the lateral faces does not form a plane. Mimura and Malek are related as retroreflector, and would have been known and appreciated by an ordinarily skilled artisan at the time of invention. Malek teaches that at least one of the lateral faces does not form a plane (col. 3, Ins. 48-59; col. 4, Ins. 4-11). The benefit of a surface that is not a plane is that it makes the retroreflector efficient over a wide range of incident radiation (col. 1, Ins. 44-47).

This rejection is respectfully traversed.

The “retroreflective elements 56” taught by Malek are not the triangular-pyramidal retroreflective element of the present invention or Mimura. To the contrary, Malek’s retroreflective element is simply a single glass sphere 58. This is discussed, for example, at column 4, lines 1-3

“FIG. 8 illustrates the coating of glass spheres 58 suspended in polymeric material 60 which make up the retroreflective elements 56”.

Since Malek's retroreflective element 56 is glass sphere 58, the retroreflector mentioned in Malek is a micro glass bead type retroreflective element and not a triangular-pyramidal retroreflective element. Because both the structure and principle of retroreflection of micro glass bead type retroreflective elements differ in kind from those of the triangular-pyramidal retroreflective element according to the present invention, it is inappropriate to rely upon Malek herein.

Moreover, in any event, Malek's glass spheres 58 are fixed to uneven surface 54, but the uneven surface 54 does not form a retroreflective element. To the contrary, because the retroreflective elements 56 are each of the glass spheres 58, there is no reflection side ("reflective lateral face" in the pending claims) in the retroreflective elements 56, and there is plainly no teaching or suggestion that the reflective lateral face forms a curved surface.

In view of the above amendments and remarks, Applicants submit that all of the Examiner's concerns are now overcome and the claims are now in allowable condition. Accordingly, reconsideration and allowance of this application is earnestly solicited.

Claims 1-6 and 21 remain presented for continued prosecution.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

/Lawrence S. Perry/
Lawrence S. Perry
Attorney for Applicant
Registration No. 31,865

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

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